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Michael Cardoza and James Kelly
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8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 UGANDA KNAPPS,

12
13 Plaintiff,

14 vs.

15 CITY OF OAKLAND; FRANCISCO ROJAS,
MICHAEL CARDOZA, and JAMES KELLY,
16 individually and/or acting in their capacities as
law enforcement officers for the City of
Oakland, DOES 1-100, inclusive,

17
18 Defendants.

Case No. C-05-2935-MEJ

STIPULATION AND ~~PROPOSED~~
ORDER RE: EVIDENCE OF
RECORDS RE: MICHAEL FOWLER

Trial Date: October 17, 2007

19 THE PARTIES, BY AND THROUGH THEIR RESPECTIVE COUNSEL, DO
20 HEREBY STIPULATE AND AGREE that the records memorializing paramedical and
21 medical examination and/or treatment given to Michael Fowler by American Medical
22 Response ("AMR") and Alameda County Medical Center, Highland Campus medical
23 personnel on August 10 and 11, 2004 shall not constitute hearsay as set forth in F.R.E.
24 803; that records shall be deemed authenticated pursuant to F.R.E. 901; and that neither
25 side shall be required to call any witnesses at trial to testify about the authenticity of these
26 records as a prerequisite to their being admitted into evidence.

1 THE PARTIES FURTHER STIPULATE AND AGREE that both sides retain
2 and reserve the right to comment on this evidence, present argument about its meaning,
3 weight and/or importance, and shall retain all other objections they may have about said
4 evidence, including but not limited to its relevance.

5 IT IS SO STIPULATED:

6 DATED: October 5, 2007

OFFICE OF THE CITY ATTORNEY OF OAKLAND

7
8 By: Arlene M. Rosen

ARLENE M. ROSEN
Attorney for Defendants
City of Oakland, Francisco Rojas
Michael Cardoza and James Kelly

11
12 DATED: October 5, 2007

LAW OFFICES OF JAMES B. CHANIN

13
14 By: Julie M. Houk

JULIE M. HOUK
Attorneys for Plaintiff
Uganda Knapps

17 ORDER

18 PURSUANT TO STIPULATION,
19 IT IS SO ORDERED:

20 DATED: October 10, 2007

21 MARIA-ELENA JAMES
22 United States District Judge

